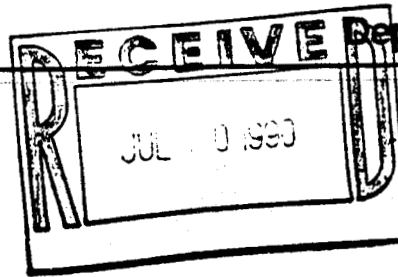


memorandum

Department of Energy
Rocky Flats Office

DATE: JUL 6 1990
REPLY TO: EMB:MEVDP:7331
ATTN OF:

SUBJECT: Authorization to Sign Federal Facility Compliance Agreement (FFCA) with the Environmental Protection Agency, Region VIII (EPA) for Clean Water Act Requirements at Rocky Flats Plant (RFP)

TO: L. Duffy, EM-1, DOE/HQ
RADM J. M. Barr, DP-20, DOE/HQ

Attached please find a copy of a FFCA that this office has negotiated with the EPA, Region VIII (Attachment 1). The impetus for this agreement stems from a 1988 Notice of Violation for a variety of exceedances of our National Pollutant Discharge Elimination System (NPDES) permit. As we were resolving these violations, chromic acid (a hazardous substance) spilled from one of our facilities and found its way into the sewage treatment system and our holding ponds. This resulted in a Type A investigation of the release reported in "Report of the Chromic Acid Incident Investigation at Rocky Flats - February 22, 1989", dated August, 1989.

As regards the actual implementation of the FFCA, EG&G Rocky Flats has assured us that they will be able to comply with the schedules for document submittal and enhanced environmental monitoring specified in the FFCA. We foresee four major areas in which DOE would expect to incur expenses. These are: 1) enhanced environmental monitoring; 2) groundwater monitoring around the sewage treatment plant sludge drying beds; 3) upgrades to the sewage treatment plant itself; and, 4) implementation of the findings of the DOE chromic acid incident report.

The enhanced environmental monitoring required by the FFCA is, for the most part, already taking place. The additional monitoring is expected to cost \$150,000 per year, which can be accommodated under ADS #110 (Attachment 2), if funded at the requested level. Groundwater monitoring activities are expected to cost \$100,000 per year; this cost will be funded under ADS#1012 (Attachment 3). Sewage treatment plant upgrades are incorporated in ADS#3288 (Attachment 4), with \$8.7 million of the total \$10.5 million cost requested as an emergency line item for FY91, and now being submitted to Congress as part of the FY91 budget.

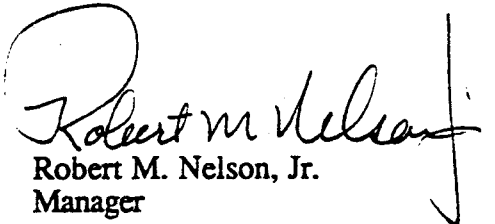
The implementation of actions required by the chromic acid incident report's Judgments of Need and Other Areas of Concern sections could result in substantial effort on DOE's part. While many of the report's findings have been or are being addressed, including the installation of secondary containment systems within the building where the incident occurred, other findings relating to the sufficiency of hazard alarms on a plantwide basis, as well as a plantwide review of potential connections between building drains and the plant sanitary sewer system, represent potentially major efforts on our part.

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Our commitment in the FFCA is to propose a plan and schedule for addressing these efforts. In those cases where more studies and corrective actions need to be taken, the language of the FFCA allows us to pursue these activities along a reasonable timeframe that we ourselves will propose to EPA and that your offices will approve. Regardless of whether required by this FFCA, the findings of the chromic acid report are serious, and we would under any circumstances be forwarding to you a request for funding and a schedule to carry out these recommendations. Please note that most of the efforts now underway are funded under P&S Programs. We anticipate this trend to continue since many actions required relate to maintenance and upgrades of production operations buildings. Our current estimate of funding required to fully implement actions required in the chromic acid incident report is \$20-30 million. These costs and a schedule of proposed actions will be defined further in the process of developing the implementation plan required under the FFCA. In any event, such costs will be incurred over a number of years. We anticipate submitting requests to fund work not yet budgeted and/or initiated as part of the FY92 and out year budget calls.

We hereby request your approval to sign the FFCA and to begin its implementation. We view the signing of this document as being advantageous to the Department, since it provides a formal mechanism whereby ongoing concerns regarding compliance with the Clean Water Act may be reasonably resolved. Further, we believe that the requirements of the FFCA are consistent with DOE's long term commitments as regards environmental management and overall operations at Rocky Flats.

If you have any questions please contact me or have your staff contact Tom Lukow of my staff on FTS 4561.



Robert M. Nelson, Jr.
Manager

4 Attachments

cc w/Attachments:

V. Stello, DP-2, DOE/HQ

Capt J. McDonald, DP-22, DOE/HQ

J. Lytle, EM-30, DOE/HQ

M. Van Der Puy, DOE/RFO

✓ J. Kersh, EG&G/RF